

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1)CURTIS OZMENT,)
Plaintiff,)
vs.) Case No. 12-CV-649-CVE-TLW
(1) AMERICAN NATIONAL PROPERTY)
& CASUALTY COMPANY,)
a foreign insurance corporation,)
Defendant.)

NOTICE OF REMOVAL

Defendant, American National Property And Casualty Company (“ANPAC”), provides notice that the above styled and numbered action has been removed from the District Court of Rogers County, State of Oklahoma, to the United States District Court for the Northern District of Oklahoma pursuant to 28 U.S.C. §1441 *et seq.* In support, ANPAC states:

1. The above styled cause was originally commenced in the District Court of Rogers County, State of Oklahoma, and is now pending in that court. Process was served on ANPAC in the form of a general summons served upon the Insurance Commissioner for the State of Oklahoma on November 7, 2012 and received by ANPAC on November 12, 2012. Accordingly, removal to this Court is timely.

2. Pursuant to 28 U.S.C. §1446(a) and LCvR 81.2 of the Rules of this Court, a copy of all pleadings filed or served upon ANPAC in this matter are attached hereto as Exhibit “1”. Relevant pages of the docket sheet from the District Court of Rogers County, State of

Oklahoma, are attached hereto as Exhibit "2". ANPAC is not aware of any motion pending before the District Court of Rogers County and ANPAC is filing, contemporaneously herewith, the required Status Report on Removed Action.

3. Plaintiff is a resident of Rogers County, State of Oklahoma.

4. ANPAC is a foreign insurance corporation domiciled in the State of Missouri.

5. Complete diversity of citizenship exists between the parties.

6. This action is one of a civil nature in which the District Courts of the United States have jurisdiction pursuant to 28 U.S.C. §1332, said action having been brought by Plaintiff against ANPAC seeking damages in excess of the amount required for diversity jurisdiction pursuant to 28 U.S.C. §1332.

For the reasons stated, American National Property And Casualty Company respectfully submits that requirements for removal to this Court have been met as a complete diversity of citizenship between the parties exists and the amount in controversy exceeds Seventy-five Thousand Dollars (\$75,000.00).

Respectfully submitted,

s/ Nevin R. Kirkland

David H. Cole, OBA #01776

Nevin R. Kirkland, OBA #19855

EDMONDS COLE LAW FIRM

7 S. Mickey Mantle Drive, 2nd Floor

Oklahoma City, OK 73104-2458

405-272-0322 405-235-4654 Facsimile

nkirkland@edmondscole.com

dcole@edmondscole.com

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF MAILING

I hereby certify that on November 27, 2012, I electronically transmitted the attached document to the Clerk of Court using the ECF system for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants: Thomas E. Baker.